REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-7 are currently pending in this application, Claims 4-6 having been amended and Claim 7 having been added by the present amendment.

In the outstanding Office Action, Claims 1, 4, and 5 were rejected under 35 U.S.C. §102(b) as anticipated by Sherer et al. (U.S. Patent No. 5,568,476, hereinafter Sherer); and Claims 2, 3, and 6 were rejected under 35 U.S.C. §103(a) as unpatentable over Sherer.

The amendments to Claims 4-6 make clear that 35 U.S.C. §112, sixth paragraph, does not apply, and no new matter is added. Support for new Claim 7 can be found in original Claims 4 and 5, for example, and therefore, no new matter is added.

Claim 1 is directed toward a method of verifying a result of distribution of information, including: transmitting, from a sender station to a receiver station, information to be distributed while the information is divided into a plurality of unit data sets; transmitting a plurality of verification signals corresponding to the respective unit data sets from the sender station to itself and receiving the verification signals at the sender station; transmitting, from the receiver station to the sender station, a jamming signal in synchronism with a verification signal corresponding to an unsuccessfully received data set, for hindering the sender station from receiving the distribution verification signal; and verifying occurrence of unsuccessful distribution of a unit data set corresponding to the verifying signal, from occurrence of a failure of the sender station to receive the verification signal transmitted to itself due to the jamming signal sent from the receiver station. This method allows for a shortening of the time required for verifying distribution results, and shortens the processing time of the overall system.[1]

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[1] Specification, page 9, lines 10-14.

Sherer discloses a transmitter that sends data to a receiver station. When the buffer of the receiver station cannot store additional data, the receiver station will transmit a jamming signal to the transmitter. The transmitter detects the collision between the jamming signal and the signal being transmitted by the transmitter. By detecting the collision, the transmitter learns that the receiver station has not received a packet of data, and the transmitter will resend the unreceived packet of data at a later time. [2]

With respect to the rejection of Claim 1 as anticipated by Sherer, Applicants respectfully submit that Sherer does not teach or suggest every element of Claim 1. Claim 1 recites "...transmitting a plurality of verification signals corresponding to the respective unit data sets from the sender station to itself and receiving the verification signals at the sender station...." Indeed, Sherer does not teach or suggest this element of Claim 1.

On the contrary, the transmitting adaptors in Sherer do not send verification signals to itself. The transmitting adaptors in Sherer transmit a packet of data on the communication channel to a receiving station.[3] The transmitting adaptors in Sherer detect collisions and cease transmitting once it detects the collision.[4] When detecting the collision, the transmitting adaptors are not sending signals to itself. Thus, Sherer does not teach or suggest the claimed "...transmitting a plurality of verification signals corresponding to the respective unit data sets from the sender station to itself and receiving the verification signals at the sender station...."

Claim 1 also recites "...transmitting, from the receiver station to the sender station, a jamming signal in synchronism with a verification signal corresponding to an unsuccessfully received data set, for hindering the sender station from receiving the distribution verification signal...." Indeed, Sherer does not teach or suggest this element of Claim 1.

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[2] Sherer, col. 5, lines 14-62.
[3] Sherer, col. 2, lines 49-50.
[4] Sherer, col. 2, lines 54-57.

On the contrary, the jamming signals disclosed in Sherer are sent by the receiver when the buffer is at capacity and cannot store additional data.[5] By sending a jamming signal, the receiver station intentionally blocks a signal sent by the transmitting station to the receiver station and forces the transmitting station to resend the signal.[6] The jamming signal in Sherer is not jamming a verification signal sent from the transmitting station to itself. Thus, Sherer does not teach or suggest the claimed "transmitting, from the receiver station to the sender station, a jamming signal in synchronism with a verification signal corresponding to an unsuccessfully received data set, for hindering the sender station from receiving the distribution verification signal."

Furthermore, Claim 1 also recites "...verifying occurrence of unsuccessful distribution of a unit data set corresponding to the verifying signal, from occurrence of a failure of the sender station to receive the verification signal transmitted to itself due to the jamming signal sent from the receiver station." Indeed, Sherer does not teach or suggest this element of Claim 1.

On the contrary, Sherer verifies an occurrence of an unsuccessful distribution of data when the transmitting station detects a collision.[7] After the transmitting station detects a collision, the transmitting station will retry the transmission.[8] In Sherer, it is not "a failure of the sender station to receive the verification signal transmitted to itself due to the jamming signal sent from the receiver station" that verifies an occurrence of an unsuccessful distribution of data. Rather, it is the detection of a collision. Thus, Sherer does not teach or suggest the claimed "...verifying occurrence of unsuccessful distribution of a unit data set corresponding to the verifying signal, from occurrence of a failure of the sender station to

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[5] Sherer, col. 12, lines 31-34.
[6] Sherer, col. 12, lines 35-37.
[7] Sherer, col. 12, lines 31-37.
[8] Id.

receive the verification signal transmitted to itself due to the jamming signal sent from the receiver station."

In view of the above noted distinctions, Applicants respectfully submit that Claim 1 (and its dependent Claims 2 and 3) patentably distinguish over Sherer. Independent Claims 4, 5, and 7 although of a different statutory class, are similar to Claim 1. Applicants respectfully submit that independent Claims 4, 5, and 7 (and dependent Claim 6) patentably distinguish over Sherer for at least the reasons given for Claim 1.

Applicants traverse the Official Notices taken in the Office Action regarding assigning an ordinal number to a unit data set, and dividing a plurality of signals such that they are time division signals assigned to time slots. Without the context by which assigning an ordinal number and dividing a plurality of signals are known to the artisan, it is impossible to conclude that it would be obvious to combine such techniques with that of Sherer, as the context might itself provide reasons to rebut a *prima facie* case of obviousness. Therefore, it is respectfully requested that evidence of the assigning an ordinal number, dividing a plurality of signals, and evidence of the motivation to combine be made of record or that the 35 U.S.C. § 103(a) rejection be withdrawn.

Finally, Applicants respectfully request that the Information Disclosure Statement filed on December 13, 2002 be acknowledged on the record in its entirety. The reference IPSJ SIG Notes, vol. 96, no. 12, pages 209-214, "A Broadcast Protocol for Satellite Channels," January 26, 1996, listed in the Other References section (line AW) on Form 1449, was not acknowledged on the record.

Consequently, in view of the above amendments and comments, it is respectfully submitted that the outstanding rejection is traversed and that the pending claims are in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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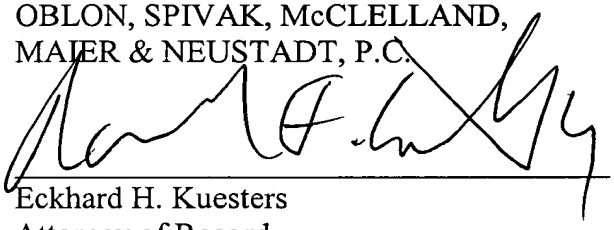

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